Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:
My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

the specification of which:

(check one) ____is attached hereto:
 ____X_was filed on ____October 14, 2004_ as

Application Serial No.____10/511,998

and was amended on_____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Page 1 of 5

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| 60/375,622 | filed | April 26, 2002_ |
|------------|-------|-----------------|
| 60/375,779 | filed | April 26, 2002 |
| 60/375,834 | filed | April 26, 2002 |
| 60/375,665 | filed | April 26, 2002 |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

Mark L. Bosse - Reg. No. 35,071

William Schmenesse - Reg. No. 31,796

James J. Wong - Reg. No. 34,949

| | ounies of many | 1.09.110.01,010 | |
|------|----------------|-----------------|-----|
| and: | | | _• |
| | | Customes No 25 | 5 6 |

Address all correspondence to:

GILEAD SCIENCES, INC.

333 Lakeside Drive

Foster City, California 94404

Address all telephone calls to: <u>James J. Wong</u> at 650-522-5823. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | 1 | A | |
|-----------------------------|-----------|-----------|--------|
| Full Name of First Inventor | Signature | * | Date |
| Murty N. Arimilli | MATT | ally! | 1-8-09 |
| Residence | | Citizensh | in |

701 Number Ten Way, Oak Ridge, NC 27310
Page 2 of 5

United States of America

| | | 7 | |
|--|---------------------|------------------------------|-----------------|
|) | • | | |
| Post Office Address same as above | • | | |
| Full Name of Second Inventor Mark M. Becker | Signature . | Dat | e |
| Residence 359 Montserrat Dr., Redwood City, CA | A 94065 | Citizenship United States | s of America |
| Post Office Address same as above | | | |
| Full Name of Third Inventor Clifford Bryant | Signature : | Dat | e |
| Residence 506 Richmond Drive, #4, Millbrae, CA | 94030 | Citizenship United States | s of America |
| Post Office Address same as above | | | ., |
| Full Name of Fourth Inventor James M. Chen | Signature ı | Dat | e . · |
| Residence 4015 Marblehead Dr., San Ramon, Co | A 94583 | Citizenship United State | s of America |
| Post Office Address same as above | | | |
| Full Name of Fifth Inventor Xiaowu Chen | Signature | Dat | ie |
| Residence 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | Citizenship United State | s of America |
| Post Office Address same as above | | | |
| Full Name of Sixth Inventor Azar Dastgah | Signature | Da | te |
| Residence 1409 Via Vista, San Mateo, CA 9440 | 4 | Citizenship United State | s of America |
| Post Office Address same as above | | | |
| Full Name of Seventh Inventor Maria Fardis | Signature | Da | te |
| Residence 105 Aberdeen Drive, San Carlos, CA | 94070 | Citizenship United State | s of America |
| Post Office Address same as above | | • | |
| Full Name of Eighth Inventor Gong-Xin He | Signature | Da | te |
| Residence 5436 Ontario Common, Fremont, CA | 94555 | Citizenship Peoples Re | public of China |
| Post Office Address same as above | | | |
| Full Name of Ninth Inventor Haolun Jin | Signature | Da | ate |
| Residence 293 Billingsgate Lane, Foster City, C | 94404 | Citizenship Canadian | |
| Post Office Address same as above | | ,J | |
| Full Name of Tenth Inventor Choung U. Kim | Signature . | Da | ate |
| Residence 1750 Elizabeth St., San Carlos, CA 9 | 4070 | Citizenship United State | es of America |
| Post Office Address same as above | 3 of 5 | | |

| | | | · |
|---|------------------|--|---|
| Full Name of Inventor William A. Lee | Signature . | Date . | |
| Residence 749 Anderson Drive, Los Altos | , CA 94024 | Citizenship United States of America | |
| Post Office Address same as above | | | |
| Full Name of Inventor Christopher P. Lee | Signature | Date | |
| Residence 65 Hermann St., #5, San Franc | cisco, CA 94102 | Citizenship United States of America | |
| Post Office Address same as above | | | |
| Full Name of Inventor Kuei-Ying Lin | Signature | Date | |
| Residence 4774 Canvasback Common, F | remont, CA 94555 | Citizenship United States of America | |
| Post Office Address same as above | | | |
| Full Name of Inventor Hongtao Liu | Signature | Date | |
| Residence 10320 Orange Avenue, Cupert | ino, CA 95014 | Citizenship Peoples Republic of China | |
| Post Office Address same as above | | • 1 | |
| Full Name of Inventor Richard L. Mackman | Signature | Date | |
| Residence 360 Ashton Avenue, Millbrae, G | CA 94030 | Citizenship United Kingdom | |
| Post Office Address same as above | | | |
| Full Name of Inventor Michael L. Mitchell | Signature | Date | |
| Residence 108 Crossing Court, Hayward, | CA 94544 | Citizenship United States of America | |
| Post Office Address | | | |
| same as above Full Name of Inventor Peter H. Nelson | Signature | Date | |
| Residence 42 San Juan Court, Los Altos, | CA 94022 | Citizenship United States of America | |
| Post Office Address same as above | • | | |
| Full Name of Inventor Hyung-Jung Pyun | Signature | Date | |
| Residence 35444 Woodbridge Place, Fre | mont, CA 94536 | Citizenship Korea | |
| Post Office Address same as above | | | |
| Full Name of Inventor Tanisha D. Rowe | Signature | Date | |
| Residence 2708 Mars Hill St., Modesto, C | | Citizenship United States of America | |

| Full Name of Inventor | Signature | | Date |
|--|--------------------|--|-------------------|
| Mark Sparacino | <u> </u> | Citizenship | L |
| Residence 1450 Seville Drive, Morgan Hill, CA 95 | 5037 | | tates of America |
| Post Office Address | • | | × |
| same as above Full Name of Inventor | Signature | | Date |
| Sundaramoorthi Swaminathan | | | |
| Residence 2858 Hillside Drive, Burlingame, CA | 94010 | Citizenship India | |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | · · · · · · · · · · · · · · · · · · · | Date |
| James D. Tario | - | | |
| Residence | l | Citizenship | |
| 142 Elm Street, Apt. 205, San Mateo, | CA 94401 | United St | tates of America |
| Post Office Address | | | |
| same as above | Signature | · · · · · · · · · · · · · · · · · · · | Date |
| Full Name of Inventor Jianying Wang | - Signature | | |
| Residence | | Citizenship | <u> </u> |
| 770 Crane Avenue, Foster City, CA 94 | 4404 | | tates of America |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date . |
| Matthew A. Williams | | | * |
| Residence 906 7 th Avenue, San Mateo, CA 9440 |)2 | Citizenship . United S | tates of America |
| Post Office Address | | | |
| same as above | Signature | <u> </u> | Date |
| Full Name of Inventor Lianhong Xu | Signature | | |
| Residence | | Citizenship | |
| 640 Hobart Avenue, San Mateo, CA | 94402 | United S | tates of America |
| Post Office Address | | | |
| same as above | Signature | | Date |
| Full Name of Inventor Zheng-Yu Yang | Signature | | |
| Residence | 04404 | Citizenship | Dopublic of China |
| 888 Foster City, Blvd., Foster City, CA | \ 944U4 | reopies | Republic of China |
| Post Office Address | | ······································ | |
| same as above | Signature | | Date |
| Richard H. Yu | | | • |
| Residence 2625 35 th Avenue, San Francisco, CA | A 94116 | Citizenship United S | itates of America |
| Post Office Address | | | |
| same as above | Signature | <u> </u> | l Date |
| Full Name of Inventor Jiancun Zhang | Jighatine | | |
| | | Citizenship | <u> </u> |
| Residence 5142 Masonic Avenue, Oakland, CA | 94618 | | States of America |
| Post Office Address | | | • |
| same as above Full Name of Inventor | Signature | · · · · · · · · · · · · · · · · · · · | Date |
| Lijun Zhang | • | | |
| Residence 4033 Middlefield Road, Palo Alto, Ca | lifornia 94303 | Citizenship Peoples | Republic of China |
| Post Office Address | | | |
| same as above | 5 of 5 | | |

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT: My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

the specification of which:

(check one) ____is attached hereto:
____X_was filed on ____October 14, 2004_ as

Application Serial No.____10/511,998

and was amended on_____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| 60/375,622 | _ filed _ | April 26, 2002 |
|------------|-----------|----------------|
| 60/375,779 | filed | April 26, 2002 |
| 60/375,834 | filed | April 26, 2002 |
| 60/375,665 | filed | April 26, 2002 |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| | Bosse - Reg. No. 35,071 . Wong – Reg. No. 34,949 | | · |
|--|--|--|--|
| Address all correspondence to: | GILEAD SCIENCES, INC. 333 Lakeside Drive Foster City, California 944 | 04 | |
| Address all telephone calls to:I hereby declare that all statements made on information and belief are with the knowledge that willful false imprisonment, or both, under Sect false statements may jeopardize the | s made herein of my own kn e believed to be true; and fur e statements and the like so ion 1001 of Title 18 of the Ui | owledge are true ther that these st made are punish nited States Code | and that all statements atements were made able by fine or and that such willful |
| Full Name of First Inventor Murty N. Arimilli | Signature | | Date |
| Residence 701 Number Ten Way, Oak Ridge | , NC 27310 Page 2 of 5 | Citizenship United St | ates of America |

| | Post Office Address same as above | 1 | | |
|--------|--|---------------------|--------------------------|-----------------------|
| 2-00 | Full Name of Second Inventor Mark M. Becker Residence | Signature S.O. | | Date Nov 11, 2004 |
| | Residence 359 Montserrat Dr., Redwood City, CA | A 94065 | Citizenship United St | tates of America |
| | Post Office Address same as above | | | |
| | Full Name of Third Inventor Clifford Bryant | Signature | | Date |
| | Residence 506 Richmond Drive, #4, Millbrae, CA | 94030 | Citizenship United St | tates of America |
| | Post Office Address same as above | | | |
| 4-00 | Full Name of Fourth Inventor James M. Chen | Signature 2 h | | Date |
| | Residence 4015 Marblehead Dr., <u>San Ramon</u> , Ca | A 94883 | Citizenship United St | ates of America |
| | Post Office Address same as above | | • | |
| 5-00 | Full Name of Fifth Inventor Xiaowu Chen | Signature 6 | | N.v. 9 2004 |
| | Residence 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | Citizenship United St | ates of America |
| | Post Office Address same as above | | I | |
| | Full Name of Sixth Inventor Azar Dastgah | Signature | | Date |
| | Residence 1409 Via Vista, San Mateo, CA 94404 | 4 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| 7-00 | Full Name of Seventh Inventor Maria Fardis | Signature Tanks | | Nov. 9, 2004 |
| | Residence 105 Aberdeen Drive, <u>San Carlos</u> , CA | 94070 | Citizenship United St | ates of America |
| | Post Office Address same as above | | I | |
| 8 - 00 | Full Name of Eighth Inventor Gong-Xin He | Signature Use | -> | Nov. 9, 2004 |
| | Residence 5436 Ontario Common, <u>Fremont</u> , ČÁ | 94555 | Citizenship Peoples I | Republic of China |
| | Post Office Address same as above | 1 | | |
| 9-00 | Full Name of Ninth Inventor Haolun Jin | Signature H. | | Nw. 11, 2004 |
| | Residence | | O' 1.1 | |
| | 293 Billingsgate Lane, Foster City, CA | 94404 | Citizenship Canadiar | ı . |
| | 293 Billingsgate Lane, Foster City, CA Post Office Address | 94404 | | · · |
| 10 00 | 293 Billingsgate Lane, Foster City, CA Post Office Address same as above Full Name of Tenth Inventor | Signature | | Date |
| 10-00 | 293 Billingsgate Lane, Foster City, CA Post Office Address same as above | | | |
| 10-00 | 293 Billingsgate Lane, Foster City, CA Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | Signature | Canadiar | Date |
| 10-00 | 293 Billingsgate Lane, Foster City, CA Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim Residence | Signature | Canadiar | Date MV. 11. 200 4 |

| 11-00 | Full Name of Inventor William A. Lee | Signature | | Nov 11, 2004 |
|---------|---|------------------|--------------------------|-------------------|
| | Residence 749 Anderson Drive, Los Altos, CA 94 | 4024 | Citizenship United St | ates of America |
| | Post Office Address | | l | |
| | same as above | I Ciacatura | | L Data |
| 12 | Full Name of Inventor Christopher P. Lee | Signature | | Date (1/9/04 |
| | Residence 65 Hermann St., #5, San Francisco, C | Á 94102 | Citizenship United St | ates of America |
| | Post Office Address same as above | | <u> </u> | |
| | Full Name of Inventor | Signature | | Date , |
| 13 - 00 | Kuei-Ying Lin | Www- Fresh | | 11/09/04 |
| | Residence 4774 Canvasback Common, <u>Fremont</u> | , CA 94555 | Citizenship United St | ates of America |
| | Post Office Address same as above | | F | |
| 14-00 | Full Name of Inventor Hongtao Liu | Signature A | | Date 11-9-04 |
| 14 - 20 | | 1 Chillian | 1 | 11-1-0-1 |
| | Residence 10320 Orange Avenue, <u>Cupertino</u> , CA | 95014 | Citizenship Peoples I | Republic of China |
| | Post Office Address same as above | | | |
| | Full Name of Inventor | Signature | | Date |
| 15-00 | Richard L. Mackman | K-/ lead | | 11-9-04. |
| | Residence 360 Ashton Avenue, Millbrae, CA 940 | 030 | Citizenship United Ki | ngdom |
| | Post Office Address same as above | | | |
| 16-00 | Full Name of Inventor Michael L. Mitchell | Signature MDM | | Date (1//0/04 |
| | Residence 108 Crossing Court, Hayward, CA 94 | 544 | Citizenship United St | ates of America |
| | Post Office Address same as above | | l . | |
| | Full Name of Inventor | Signature | | Date |
| | Peter H. Nelson | | | |
| | Residence 42 San Juan Court, Los Altos, CA 940 | 022 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| 18 - 00 | Full Name of Inventor Hyung-Jung Pyun | Signature | | Date 11/11/04 |
| | Residence | | Citizenship | |
| | 35444 Woodbridge Place, Fremont, C | Ä 94536 | Korea | |
| | Post Office Address same as above | | | |
| 19 00 | Full Name of Inventor Tanisha D. Rowe | Signature D Pour | | Date 11-9-AL |
| | Decidence | Janusnab. Rowe | Cial | 11 104 |
| | Residence 2708 Mars Hill St., Modesto, CA 9535 | 55 | Citizenship United St | ates of America |
| | Post Office Address | | | |
| | same as above | 4 of 5 | | |
| | | 7010 | | |

| 20 | Full Name of Inventor Mark Sparacino | MML Spower | | Mov-11, 2004 |
|--------------------|--|--------------------|--------------------------|---------------------------------------|
| | Residence 1450 Seville Drive, Morgan Hill, CA 95 | 5037 | Citizenship United St | ates of America |
| | Post Office Address same as above | | ' | |
| 21-00 | Full Name of Inventor Sundaramoorthi Swaminathan | Signatur | | Date Nov 9,2004 |
| | Residence 2858 Hillside Drive, <u>Burlingame</u> , CA S | 94010 | Citizenship India | , |
| | Post Office Address same as above | | | |
| 2 2 -∞ | Full Name of Inventor James D. Tario | Signature Jun | | Nov 9, 2004 |
| | Residence 142 Elm Street, Apt. 205, <u>San Mateo</u> , | CA 94401 | Citizenship United St | ates of America |
| | Post Office Address same as above | I Cianalus | | Date |
| 23-00 | Full Name of Inventor Jianying Wang | Signature W | | Nov. 9, 2004 |
| | Residence 770 Crane Avenue, Foster City, CA 94 | 4404 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| | Full Name of Inventor Matthew A. Williams | Signature | | Date |
| | Residence 906 7 th Avenue, San Mateo, CA 9440 | 2 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| 25 - cc | Full Name of Inventor Lianhong Xu | Signature | | Date 11/69/04 |
| | Residence 640 Hobart Avenue, San Mateo, CA | 94402 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| 26 - 00 | Full Name of Inventor Zheng-Yu Yang | Signature | | Date 11/10/04 |
| | Residence 888 Foster City, Blvd., Foster City, CA | 94404 | Citizenship Peoples I | Republic of China |
| | Post Office Address same as above | | | |
| 27 - 00 | Full Name of Inventor Richard H. Yu | Signature Ruled Mu | | Date 11 11 04 |
| | Residence 2625 35 th Avenue, <u>San Francisco</u> , CA | / | Citizenship United St | ates of America |
| | Post Office Address | - 110 | <u> </u> | · · · · · · · · · · · · · · · · · · · |
| | same as above Full Name of Inventor | Signature | | Date |
| | Jiancun Zhang | | Citizonahia | |
| | Residence 5142 Masonic Avenue, Oakland, CA | 94618 | Citizenship United St | ates of America |
| | Post Office Address same as above | | | |
| 29 - 00 | Full Name of Inventor Lijun Zhang | Signature | | 11/9/04 |
| | Residence 4033 Middlefield Road, Palo Alto, Cali | fornia 94303 CA . | Citizenship Peoples I | Republic of China |
| | Post Office Address same as above | 5 of 5 | L | |
| · · | | | | |

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:
My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

| the specification of which: | | | | |
|-----------------------------|-------------|--|---------------------|------|
| | (check one) | is attached hereto: Xwas filed on _ | October 14, 2004 | _ as |
| | | Application Serial No | 10/511,998 | |
| | | and was amended on_ | ; if applicable) | |

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| _ filed | April 26, 2002 |
|---------|--------------------|
| filed | April 26, 2002 |
| filed _ | April 26, 2002 |
| filed | April 26, 2002 |
| | filed _ _ filed |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| to transact an business in connec | non with all paterit application | ins directed to said invention. |
|--|---|---|
| | . Bosse - Reg. No. 35,071 J. Wong – Reg. No. 34,949 | |
| Address all correspondence to: | GILEAD SCIENCES, INC 333 Lakeside Drive Foster City, California 94 | |
| made on information and belief ar with the knowledge that willful fals | ts made herein of my own kee believed to be true; and fuse statements and the like so tion 1001 of Title 18 of the U | nowledge are true and that all statements urther that these statements were made o made are punishable by fine or United States Code and that such willful |
| Full Name of First Inventor Murty N. Arimilli | Signature | Date |
| Residence 701 Number Ten Way, Oak Bidge | NC 27310 | Citizenship |

Page 2 of 5

| Post Office Address same as above | • | | |
|--|---------------------------------------|-------------|----------------------|
| | | | |
| Full Name of Second Inventor | Signature | | Date |
| Mark M. Becker | | | |
| | | | |
| Residence | | Citizenship | |
| 359 Montserrat Dr., Redwood City, CA | A 94065 | United St | ates of America |
| | | | |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Third Inventor | Signature | | Date |
| Clifford Bryant | | ~ | 1124-1-4 |
| Cililora Di yant | (MM) N 10V | | Nov-6-4 |
| Residence | | Citizenship | , |
| 506 Richmond Drive, #4, Millbrae, CA | 94030 | United St | ates of America |
| , <u></u> | 1 | | |
| Post Office Address | | | |
| same as above | | | ` |
| | Cinnatura | | Data |
| Full Name of Fourth Inventor | Signature | | Date |
| James M. Chen | | | ! |
| Davidana | | Citizenship | |
| Residence | 0.4500 | | atas of Amorias |
| 4015 Marblehead Dr., San Ramon, C | 4 34303 | Officed St | ates of America |
| | | | |
| Post Office Address | | | |
| same as above | · · · · · · · · · · · · · · · · · · · | | |
| Full Name of Fifth Inventor | Signature | | Date |
| Xiaowu Chen | | | |
| Alaowa Offeri | | | |
| Residence | / | Citizenship | |
| 377 Laurie Meadows Drive, Apt. 319, | San Mateo CA 94403 | United St | ates of America |
| or, Edding Michaeling Eliver, i.p. 1010, | Jan | | |
| Post Office Address | · · · · · · · · · · · · · · · · · · · | | |
| | | | |
| same as above | L 6: | | L Davis |
| Full Name of Sixth Inventor | Signature | | Date |
| Azar Dastgah | | | |
| | | Citizenship | l |
| Residence | 4 | | ates of Amorica |
| 1409 Via Vista, San Mateo, CA 9440 | · | United St | ates of America |
| | | | |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Seventh Inventor | Signature | | Date |
| Maria Fardis | | | |
| Traile i di di di | · | | |
| Residence | | Citizenship | |
| 105 Aberdeen Drive, San Carlos, CA | 94070 | United St | ates of America |
| , | | | |
| Post Office Address | · · · · · · · · · · · · · · · · · · · | | |
| same as above | | | |
| Full Name of Eighth Inventor | Signature | | Date |
| | Signature | | |
| Gong-Xin He | | | |
| Residence | <u> </u> | Citizenship | |
| | 94555 | | Republic of China |
| 5436 Ontario Common, Fremont, CA | J-333 | 1 cohics | Topublic of Office |
| Book Office Address | | L | |
| Post Office Address | | | |
| same as above | | • | |
| Full Name of Ninth Inventor | Signature | | Date |
| Haolun Jin | | | · · |
| | <u> </u> | | L |
| Residence | | Citizenship | • |
| 1 000 Dilliana mata 1 ana - Eastan Cita C 0 | N 94404 | Canadiar | 1 |
| i 293 Billingsgate Lane, Foster City, CA | | | |
| 293 Billingsgate Lane, Foster City, CA | | | |
| Post Office Address | | | |
| Post Office Address | | | |
| Post Office Address same as above | Signatura | · | Date |
| Post Office Address same as above Full Name of Tenth Inventor | Signature | | Date |
| Post Office Address same as above | Signature | | Date |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | Signature | | Date |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | | Citizenship | |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | | | Date ates of America |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | | | |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim | | | |
| Post Office Address same as above Full Name of Tenth Inventor Choung U. Kim Residence 1750 Elizabeth St., San Carlos, CA 94 | | | |

3.00

| Full Name of Inventor | Signature | | Date |
|---|------------|-------------|-------------------|
| William A. Lee | | | |
| Residence | <u> </u> | Citizenship | |
| 749 Anderson Drive, Los Altos, CA 94024 | | United St | tates of America |
| Post Office Address | | 1 | * |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Christopher P. Lee | | | |
| Residence | | Citizenship | |
| 65 Hermann St., #5, San Francisco, C | CA 94102 | United St | tates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Kuei-Ying Lin | | | |
| Residence | <u> </u> | Citizenship | <u> </u> |
| 4774 Canvasback Common, Fremont | , CA 94555 | | tates of America |
| | · | | |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Hongtao Liu | | | |
| | | Citizenship | L |
| Residence 10320 Orange Avenue, Cupertino, CA | 95014 | | Republic of China |
| 10020 Orange Avenue, Oupertino, Or | (55014 | Copics | republic of ormia |
| Post Office Address | | • | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Richard L. Mackman | | | |
| Residence | | Citizenship | |
| 360 Ashton Avenue, Millbrae, CA 940 |)30 | United Ki | ingdom |
| Post Office Address | | <u> </u> | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Michael L. Mitchell | | | |
| Residence | <u> </u> | Citizenship | |
| 108 Crossing Court, Hayward, CA 94 | 544 | United St | tates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Peter H. Nelson | | | |
| Residence | <u> </u> | Citizenship | <u> </u> |
| 42 San Juan Court, Los Altos, CA 94 | 022 | | tates of America |
| | | <u></u> | _ |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Hyung-Jung Pyun | o.g. a.t | | |
| Residence | <u> </u> | Citizenship | <u> </u> |
| 35444 Woodbridge Place, Fremont, C | CA 94536 | Korea | • |
| 00444 VVOOdbridge 1 lade, 1 femerit, e | | | |
| Post Office Address | | | |
| same as above | T | | T |
| Full Name of Inventor | Signature | • | Date |
| Tanisha D. Rowe | · | | |
| Residence | | Citizenship | |
| 2708 Mars Hill St., Modesto, CA 953 | 55 | United S | tates of America |
| | | <u> </u> | • |
| Post Office Address same as above | | | |
| Same as above | 4 of 5 | | |
| | | | |

-

.

| C. II Name of Importor | Cignature | · · I | Date |
|--|--|---------------------------|-------------------|
| Full Name of Inventor Mark Sparacino | Signature | | Date |
| Residence 1450 Seville Drive, Morgan Hill, CA 95 | 5037 | Citizenship United Sta | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Sundaramoorthi Swaminathan | | | |
| Residence 2858 Hillside Drive, Burlingame, CA | 94010 | Citizenship India | |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| James D. Tario | | | |
| Residence 142 Elm Street, Apt. 205, San Mateo, | CA 94401 | Citizenship United Sta | ates of America |
| Post Office Address same as above | | - | |
| Full Name of Inventor Jianying Wang | Signature . | | Date |
| Residence 770 Crane Avenue, Foster City, CA 94 | 4404 | Citizenship United St | ates of America |
| Post Office Address | | l | |
| same as above Full Name of Inventor | Signature | 1 | Date |
| Matthew A. Williams | Signature | | |
| Residence 906 7 th Avenue, San Mateo, CA 9440 | | Citizenship United St | ates of America |
| Post Office Address same as above | ************************************** | | |
| Full Name of Inventor | Signature | | Date |
| Lianhong Xu | | | |
| Residence 640 Hobart Avenue, San Mateo, CA | 94402 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Zheng-Yu Yang | | | |
| Residence 888 Foster City, Blvd., Foster City, CA | A 94404 | Citizenship Peoples F | Republic of China |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Richard H. Yu | | | |
| Residence 2625 35 th Avenue, San Francisco, CA | 94116 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | 1 | Date |
| Jiancun Zhang | | | |
| Residence 5142 Masonic Avenue, Oakland, CA | 94618 | Citizenship United St | ates of America |
| Post Office Address | | 1 | |
| same as above Full Name of Inventor | Signature | | Date |
| Lijun Zhang | | | |
| Residence 4033 Middlefield Road, Palo Alto, Cal | ifornia 94303 | Citizenship Peoples I | Republic of China |
| Post Office Address same as above | 5 of 5 | | |
| סמוווס מט מטטעכ | 3013 | | |

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT: My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

| the specification of which: | | | | |
|-----------------------------|-------------|--|---------------------|--|
| | (check one) | is attached hereto: X_was filed on_ | October 14, 2004 as | |
| | | Application Serial No | 10/511,998 | |
| | | and was amended on_ (| ; if applicable) | |

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| filed _ | April 26, 2002_ |
|---------|-----------------|
| filed | April 26, 2002 |
| filed _ | April 26, 2002 |
| filed | April 26, 2002 |
| | filed filed |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| to transact all business in connect | ion with all patent application | s directed to said invention: |
|---|--|---|
| | Bosse - Reg. No. 35,071 . Wong – Reg. No. 34,949 | · · · · · · · · · · · · · · · · · · · |
| Address all correspondence to: | GILEAD SCIENCES, INC. 333 Lakeside Drive Foster City, California 9440 | 04 |
| made on information and belief arwith the knowledge that willful fals | s made herein of my own kno e believed to be true; and fun e statements and the like so tion 1001 of Title 18 of the Ur | owledge are true and that all statements ther that these statements were made made are punishable by fine or uited States Code and that such willful |
| Full Name of First Inventor Murty N. Arimilli | Signature | Date |
| Residence 701 Number Ten Way, Oak Ridge | e, NC 27310 | Citizenship United States of America |

Page 2 of 5

| Post Office Address same as above | • | | |
|---|---|---|------------------------------|
| | | | |
| | I Cinnahara | | L Sate |
| Full Name of Second Inventor Mark M. Becker | Signature | | Date |
| Residence | · | Citizenship | |
| 359 Montserrat Dr., Redwood City, CA | A 94065 | | ates of America |
| Post Office Address same as above | | | |
| Full Name of Third Inventor | Signature | | Date |
| Clifford Bryant | | • | |
| Residence 506 Richmond Drive, #4, Millbrae, CA | 94030 | Citizenship United St | ates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Fourth Inventor James M. Chen | Signature | | Date |
| Residence | | Citizenship | |
| 4015 Marblehead Dr., San Ramon, Co | A 94583 | | ates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Fifth Inventor | Signature | | Date |
| Xiaowu Chen | | | |
| Residence 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | Citizenship United St | ates of America |
| Post Office Address | | | |
| same as above | () | | |
| Full Name of Sixth Inventor | Signature | | Date 11-5-04 |
| Azar Dastgah | Agantostop | | 11-5-04 |
| Residence 1409 Via Vista, San Mateo, CA 94404 | 4 | Citizenship United St | ates of America |
| Book Office Address | | | · |
| Post Office Address same as above | | | |
| Full Name of Seventh Inventor | Signature | | Date |
| Maria Fardis | Olgitature | | Date |
| Residence 105 Aberdeen Drive, San Carlos, CA | | Citizenship | |
| 1 105 Aberdeen Drive, San Carlos, CA | 94070 | United St | ates of America |
| Post Office Address | 94070 | United St | ates of America |
| Post Office Address same as above | 94070 | United St | ates of America |
| Post Office Address Same as above Full Name of Eighth Inventor | 94070 Signature | United St | ates of America |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He | | - | |
| Post Office Address Same as above Full Name of Eighth Inventor | Signature | Citizenship | |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence | Signature | Citizenship | Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA | Signature | Citizenship | Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address | Signature | Citizenship | Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor Haolun Jin | Signature 94555 | Citizenship Peoples I | Date Republic of China |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor | Signature 94555 Signature | Citizenship | Date Republic of China Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor Haolun Jin Residence 293 Billingsgate Lane, Foster City, CA Post Office Address | Signature 94555 Signature | Citizenship Peoples I | Date Republic of China Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor Haolun Jin Residence 293 Billingsgate Lane, Foster City, CA Post Office Address same as above | Signature 94555 Signature | Citizenship Peoples I | Date Republic of China Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor Haolun Jin Residence 293 Billingsgate Lane, Foster City, CA Post Office Address | Signature 94555 Signature | Citizenship Peoples I | Date Republic of China Date |
| Post Office Address same as above Full Name of Eighth Inventor Gong-Xin He Residence 5436 Ontario Common, Fremont, CA Post Office Address same as above Full Name of Ninth Inventor Haolun Jin Residence 293 Billingsgate Lane, Foster City, CA Post Office Address same as above Full Name of Tenth Inventor | Signature 94555 Signature 94404 Signature | Citizenship Peoples I Citizenship Canadiar | Date Republic of China Date |

6-00

| Full Name of Inventor William A. Lee | Signature | | Date |
|---|---------------------------------------|--------------------------|---|
| Residence | | Citizenship | <u> </u> |
| 749 Anderson Drive, Los Altos, CA 9 | | | tates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | - | Date |
| Christopher P. Lee | | | |
| Residence 65 Hermann St., #5, San Francisco, (| CA 94102 | Citizenship United St | ates of America |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Kuei-Ying Lin | | | |
| Residence | | Citizenship | |
| 4774 Canvasback Common, Fremon | t, CA 94555 | United St | ates of America |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Hongtao Liu | Signature | | Date |
| Residence | I | Citizenship | |
| 10320 Orange Avenue, Cupertino, Co | A 95014 | Peoples | Republic of China |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Richard L. Mackman | | | |
| Residence | · · · · · · · · · · · · · · · · · · · | Citizenship | |
| 360 Ashton Avenue, Millbrae, CA 94 | 030 | United Ki | ngdom |
| Post Office Address | | | *************************************** |
| same as above Full Name of Inventor | Signature | | Date |
| Michael L. Mitchell | Signature | | |
| Residence 108 Crossing Court, Hayward, CA 94 | 1544 | Citizenship United St | ates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date · |
| Peter H. Nelson | · | | |
| Residence 42 San Juan Court, Los Altos, CA 94 | 1022 | Citizenship United St | ates of America |
| Post Office Address | | <u> </u> | |
| same as above Full Name of Inventor | Signature | | Date |
| Hyung-Jung Pyun | 3 | | |
| Residence | | Citizenship | |
| 35444 Woodbridge Place, Fremont, 0 | CA 94536 | Korea | |
| Post Office Address | | | |
| same as above Full Name of Inventor | T Signature | 1 | Data |
| Tanisha D. Rowe | Signature | | Date |
| Residence 2708 Mars Hill St., Modesto, CA 953 | 55 | Citizenship United St | ates of America |
| | | | |
| Post Office Address same as above | | | |
| | 4 of 5 | | |
| | | • | |

.

•

| Full Name of Inventor Mark Sparacino | Signature | | Date _ |
|--|--|--------------------------|-------------------|
| Residence 1450 Seville Drive, Morgan Hill, CA 95 | 037 | Citizenship United St | ates of America |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Sundaramoorthi Swaminathan | Signature | | Date |
| Residence 2858 Hillside Drive, Burlingame, CA 9 | 4010 | Citizenship India | |
| Post Office Address same as above | | | |
| Full Name of Inventor James D. Tario | Signature | | Date |
| Residence 142 Elm Street, Apt. 205, San Mateo, | CA 94401 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Jianying Wang | Signature | | Date |
| Residence 770 Crane Avenue, Foster City, CA 94 | 1404 | Citizenship United St | ates of America |
| Post Office Address same as above | ***** | | |
| Full Name of Inventor Matthew A. Williams | Signature | ····· | Date |
| Residence 906 7 th Avenue, San Mateo, CA 9440 | 2 | Citizenship United St | ates of America |
| Post Office Address same as above | | <u> </u> | |
| Full Name of Inventor | Signature | | Date |
| Lianhong Xu Residence | | Citizenship | |
| 640 Hobart Avenue, San Mateo, CA 9 | 94402 | | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Zheng-Yu Yang | Signature | | Date |
| Residence 888 Foster City, Blvd., Foster City, CA | 94404 | Citizenship Peoples | Republic of China |
| Post Office Address | <u>. </u> | | |
| same as above Full Name of Inventor | Signature | | Date |
| Richard H. Yu | | 0:1: | |
| Residence 2625 35 th Avenue, San Francisco, CA | 94116 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Jiancun Zhang | | | |
| Residence 5142 Masonic Avenue, Oakland, CA | 94618 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Lijun Zhang | Signature | * | Date |
| Residence 4033 Middlefield Road, Palo Alto, Cali | fornia 94303 | Citizenship Peoples | Republic of China |
| Post Office Address same as above | 5 of 5 | | |

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT: My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

the specification of which:

(check one) _____is attached hereto:
____X_was filed on ____October 14, 2004_ as

Application Serial No.____10/511,998

and was amended on_____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| 60/375,622 | _ filed _ | April 26, 2002 |
|------------|-----------|----------------|
| 60/375,779 | filed | April 26, 2002 |
| 60/375,834 | filed | April 26, 2002 |
| 60/375,665 | filed | April 26, 2002 |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| to transact all business in connection | on with all patent applications | s directed to said in | nvention: |
|--|---|----------------------------|---------------|
| James J. | Bosse - Reg. No. 35,071 Wong – Reg. No. 34,949 | | |
| and: | | | • |
| Address all correspondence to: | GILEAD SCIENCES, INC. 333 Lakeside Drive Foster City, California 9440 |)4 | |
| Address all telephone calls to: <u>James J. Wong</u> at 650-522-5823. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | |
| Full Name of First Inventor Murty N. Arimilli | Signature | C | Date |
| Residence 701 Number Ten Way, Oak Ridge, | NC 27310 Page 2 of 5 | Citizenship United Stat | es of America |

| Post Office Address | | | |
|---|---------------------------------------|--------------|--------------------|
| same as above | | | |
| 5 1101 | I Signature | | LData |
| Full Name of Second Inventor | Signature | | Date |
| Mark M. Becker | | | |
| Residence | | Citizenship | |
| 359 Montserrat Dr., Redwood City, Ca | A 94065 | United St | tates of America |
| | · · · · · · · · · · · · · · · · · · · | | |
| Post Office Address | | | |
| same as above | | . | |
| Full Name of Third Inventor | Signature | | Date |
| Clifford Bryant | | | |
| Residence | | Citizenship | |
| 506 Richmond Drive, #4, Millbrae, CA | 94030 | United St | tates of America |
| | | <u> </u> | |
| Post Office Address | | | |
| same as above | * | | <u> </u> |
| Full Name of Fourth Inventor | Signature | | Date |
| James M. Chen | | | |
| Residence | | Citizenship | |
| 4015 Marblehead Dr., San Ramon, C. | A 94583 | United St | ates of America |
| | | J | |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Fifth Inventor | Signature | | Date |
| Xiaowu Chen | | | |
| Residence | 1 | Citizenship | l |
| 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | | tates of America |
| l con Laune meadene Dine, riph eve, | | | |
| Post Office Address | · · · · · · · · · · · · · · · · · · · | | |
| same as above | | | |
| Full Name of Sixth Inventor | Signature | | Date |
| Azar Dastgah | | | |
| Residence | | Citizenship | |
| 1409 Via Vista, San Mateo, CA 9440 | 4 | United St | ates of America |
| 1 1400 via vista, out mateo, ort 5440 | • | O mica o | ales of America |
| Post Office Address | * * | | |
| same as above | | | |
| Full Name of Seventh Inventor | Signature | | Date |
| Maria Fardis | | | |
| Residence | | Citizenship | |
| 105 Aberdeen Drive, San Carlos, CA | 94070 | | ates of America |
| Too riboratori Birro, Gair Gaires, Gri | 0.107.0 | 0 | |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Eighth Inventor | Signature | | Date |
| Gong-Xin He | · | | |
| Residence | | Citizenship | |
| 5436 Ontario Common, Fremont, CA | 94555 | | Republic of China |
| 1 5466 Girano Gorinion, Fremoni, Gr | 04000 | Copies | republic of Orlina |
| Post Office Address | | 1 | |
| same as above | | | |
| Full Name of Ninth Inventor | Signature | | Date |
| Haolun Jin | | | · |
| Residence | <u>.</u> | Citizenship | L |
| 293 Billingsgate Lane, Foster City, CA | 94404 | Canadiar | 1 |
| 290 Dillingsgate Lane, 1 Oster Oity, Or | 34404 | Carladiai | • |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Tenth Inventor | Signature | | Date |
| Choung U. Kim | | | |
| | | | |
| Residence | | Citizenship | |
| 1750 Elizabeth St., San Carlos, CA 94 | 1070 | United St | ates of America |
| | | L | |
| Post Office Address | • | | |
| same as above | 3 of 5 | | |
| | 3013 | | |

| Full Name of Inventor William A. Lee | Signature | | Date |
|---|----------------|--------------------------|-------------------|
| Residence 749 Anderson Drive, Los Altos, CA 9 | 4024 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Christopher P. Lee | Signature | | Date |
| | <u> </u> | Citionachia | <u> </u> |
| Residence 65 Hermann St., #5, San Francisco, C | CA 94102 | Citizenship United St | ates of America |
| Post Office Address same as above | | • | |
| Full Name of Inventor | Signature | | Date |
| Kuei-Ying Lin | | | |
| Residence 4774 Canvasback Common, Fremont | , CA 94555 | Citizenship United St | ates of America |
| Post Office Address same as above | | • | |
| Full Name of Inventor | Signature | | Date |
| Hongtao Liu | | | |
| Residence 10320 Orange Avenue, Cupertino, CA | 95014 | Citizenship Peoples | Republic of China |
| Post Office Address | | | |
| same as above | , <u></u> | | |
| Full Name of Inventor Richard L. Mackman | Signature . | | Date |
| Residence 360 Ashton Avenue, Millbrae, CA 940 | 30 | Citizenship United Ki | ngdom |
| Post Office Address same as above | | • | |
| Full Name of Inventor | Signature | | Date |
| Michael L. Mitchell | | | |
| Residence 108 Crossing Court, Hayward, CA 94 | 544 | Citizenship United St | ates of America |
| Post Office Address | | 1 | |
| same as above Full Name of Inventor | Signature | | Date 14.5.AL |
| Peter H. Nelson | Lety H. helpon | | Date 19.5.04 |
| Residence 42 San Juan Court, <u>Los Altos</u> , CA 940 | | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Hyung-Jung Pyun | Signature | | Date . |
| Residence 35444 Woodbridge Place, Fremont, C | A 94536 | Citizenship Korea | |
| Post Office Address | | L | |
| same as above Full Name of Inventor | Signature | | Date |
| Tanisha D. Rowe | Signature | • | Date |
| Residence 2708 Mars Hill St., Modesto, CA 9535 | 55 | Citizenship United St | ates of America |
| Post Office Address | | • | |
| same as above | A =4.5 | | |
| | 4 of 5 | | |

17-00

No. 4 6 44

| | I Circulation | 1000 | <u> </u> |
|---|---------------------------|--|---------------------------------------|
| Full Name of Inventor Mark Sparacino | Signature | Date | |
| Residence 1450 Seville Drive, Morgan Hill, CA | 95037 | Citizenship United States of An | nerica |
| Post Office Address same as above | | | · · _ · · · · · · · · |
| Full Name of Inventor | Signature | Date | |
| Sundaramoorthi Swaminathan | | | |
| Residence 2858 Hillside Drive, Burlingame, CA | 94010 | Citizenship India | |
| Post Office Address same as above | | · · · · · · · · · · · · · · · · · · · | |
| Full Name of Inventor | Signature | Date | |
| James D. Tario | | | |
| Residence 142 Elm Street, Apt. 205, San Mateo | o, CA 94401 | Citizenship United States of An | nerica |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | Date | 77. 27.12/20 |
| Jianying Wang | <u> </u> | | |
| Residence 770 Crane Avenue, Foster City, CA | 94404 | Citizenship United States of An | nerica |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | Date | |
| Matthew A. Williams | · | | |
| Residence 906 7 th Avenue, San Mateo, CA 944 | 402 | Citizenship United States of An | nerica |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | Date | |
| Lianhong Xu | Signature | Date | |
| Residence 640 Hobart Avenue, San Mateo, CA | 94402 | Citizenship United States of An | nerica |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | Date | |
| Zheng-Yu Yang | | | |
| Residence 888 Foster City, Blvd., Foster City, C | CA 94404 | Citizenship Peoples Republic o | f China |
| Post Office Address | | | · · · · · · · · · · · · · · · · · · · |
| same as above | Signature | Date | - |
| Richard H. Yu | · | | |
| Residence 2625 35 th Avenue, San Francisco, C | A 94116 | Citizenship United States of An | nerica |
| Post Office Address | • | ······································ | |
| same as above | Signature | Date | |
| Jiancun Zhang | Olgriature | | |
| Residence 5142 Masonic Avenue, Oakland, CA | A 94618 | Citizenship United States of An | nerica |
| Post Office Address | | · | |
| same as above | Signature | Date | |
| Lijun Zhang | - Olympia Control Control | | |
| Residence 4033 Middlefield Road, Palo Alto, Ca | alifornia 94303 | Citizenship Peoples Republic o | f China |
| Post Office Address | | | |
| same as above | 5 of 5 | _ | |

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:
My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

the specification of which:

(check one) ____is attached hereto:
 ___X_was filed on ___October 14, 2004_ as

Application Serial No.____10/511,998

and was amended on_____;

(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| 60/375,622 | _ filed _ | April 26, 2002 |
|------------|-----------|----------------|
| 60/375,779 | filed | April 26, 2002 |
| 60/375,834 | _ filed _ | April 26, 2002 |
| 60/375,665 | filed | April 26, 2002 |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| to transact all business in connect | ion with all patent application | s directed to said invention: |
|--|---|---|
| | Bosse - Reg. No. 35,071 I. Wong – Reg. No. 34,949 | - |
| Address all correspondence to: | GILEAD SCIENCES, INC. 333 Lakeside Drive Foster City, California 944 | 04 |
| made on information and belief ar with the knowledge that willful fals | s made herein of my own kn e believed to be true; and fur e statements and the like so tion 1001 of Title 18 of the Ur | owledge are true and that all statements ther that these statements were made made are punishable by fine or nited States Code and that such willful |
| Full Name of First Inventor Murty N. Arimilli | Signature | Date |
| Residence 701 Number Ten Way, Oak Ridge | e, NC 27310 | Citizenship United States of America |

Page 2 of 5

| Post Office Address | • | | |
|---|---------------------|--------------|--------------------|
| same as above | | | |
| Full Name of Second Inventor | Cignature | | Date |
| Mark M. Becker | Signature | | Date |
| IVIAIR IVI. DECREI | | | |
| Residence | | Citizenship | |
| 359 Montserrat Dr., Redwood City, Ca | A 94065 | United St | ates of America |
| Post Office Address | | <u> </u> | |
| same as above | | | |
| Full Name of Third Inventor | Signature | | Date |
| Clifford Bryant | | | 20.0 |
| | <u> </u> | Tas: | |
| Residence | 04020 | Citizenship | ates of America |
| 506 Richmond Drive, #4, Millbrae, CA | 34030 | Officed St | ales of Affierica |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Fourth Inventor | Signature | | Date |
| James M. Chen | | | |
| Residence | <u> </u> | Citizenship | |
| 4015 Marblehead Dr., San Ramon, C. | A 94583 | | ates of America |
| | | | |
| Post Office Address | | • | |
| same as above | <u> </u> | | |
| Full Name of Fifth Inventor | Signature | | Date |
| Xiaowu Chen | | | |
| Residence | _ | Citizenship | |
| 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | United St | ates of America |
| Post Office Address | | J | |
| same as above | | | |
| Full Name of Sixth Inventor | Signature | | Date |
| Azar Dastgah | | | |
| | | T 0:4: | . : |
| Residence 1409 Via Vista, San Mateo, CA 9440 | 4 | Citizenship | ates of America |
| | • | Officed St | ates of Afficienca |
| Post Office Address | • • | | |
| same as above | | | |
| Full Name of Seventh Inventor | Signature | | Date |
| Maria Fardis | | | |
| Residence | · | Citizenship | |
| 105 Aberdeen Drive, San Carlos, CA | 94070 | United St | ates of America |
| | | | |
| Post Office Address | | | |
| same as above Full Name of Eighth Inventor | Signature | | Date |
| Gong-Xin He | Signature | | |
| | | | |
| Residence | 04555 | Citizenship | Domentia of Ohina |
| 5436 Ontario Common, Fremont, CA | 94000 | Peoples i | Republic of China |
| Post Office Address | | 1 | |
| same as above | | | |
| Full Name of Ninth Inventor | Signature | | Date |
| Haolun Jin | | | • |
| Residence | | Citizenship | |
| 293 Billingsgate Lane, Foster City, CA | 94404 | Canadian | 1 |
| | | | |
| Post Office Address | | | |
| same as above | <u> </u> | | |
| Full Name of Tenth Inventor | Signature | | Date |
| Choung U. Kim | | | |
| Residence | L | Citizenship | |
| 1750 Elizabeth St., San Carlos, CA 94 | 1070 | | ates of America |
| | | | |
| Post Office Address | • | | |
| same as above | 0.45 | | |
| | 3 of 5 | | |

| Full Name of Inventor | Signature | | Date |
|---|-------------|--|---------------------------------------|
| William A. Lee | | | |
| Residence 749 Anderson Drive, Los Altos, CA 9 | 4024 | Citizenship United St | ates of America |
| Post Office Address | | <u> </u> | |
| same as above Full Name of Inventor | I Circolina | | I Date |
| Christopher P. Lee | Signature | | Date |
| Residence 65 Hermann St., #5, San Francisco, C | CA 94102 | Citizenship United St | ates of America |
| Post Office Address | | <u>. </u> | |
| same as above Full Name of Inventor | London | | |
| Kuei-Ying Lin | Signature | | Date |
| Residence 4774 Canvasback Common, Fremont | , CA 94555 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Hongtao Liu | | | |
| Residence 10320 Orange Avenue, Cupertino, CA | 95014 | Citizenship Peoples I | Republic of China |
| Post Office Address same as above | | - | |
| Full Name of Inventor Richard L. Mackman | Signature · | | Date |
| Residence 360 Ashton Avenue, Millbrae, CA 940 | 030 | Citizenship United Kir | ngdom |
| Post Office Address same as above | | | |
| Full Name of Inventor Michael L. Mitchell | Signature | | Date |
| Residence 108 Crossing Court, Hayward, CA 94 | 544 | Citizenship United St | ates of America |
| Post Office Address | YT d | | |
| same as above | | | |
| Peter H. Nelson | Signature | | Date |
| Residence 42 San Juan Court, Los Altos, CA 94 | 022 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Hyung-Jung Pyun | | | · |
| Residence 35444 Woodbridge Place, Fremont, C | A 94536 | Citizenship Korea | |
| Post Office Address same as above | | | |
| Full Name of Inventor Tanisha D. Rowe | Signature | | Date |
| Residence | · | Citizenship | · · · · · · · · · · · · · · · · · · · |
| 2708 Mars Hill St., Modesto, CA 9535 | 55 | | ates of America |
| Post Office Address same as above | 4 of 5 | | |
| | . 0, 0 | | · · · · · · · · · · · · · · · · · · · |

•

.

.

Full Name of Inventor Signature Date Mark Sparacino Residence Citizenship United States of America 1450 Seville Drive, Morgan Hill, CA 95037 Post Office Address same as above Full Name of Inventor Signature Date Sundaramoorthi Swaminathan Citizenship 2858 Hillside Drive, Burlingame, CA 94010 India Post Office Address same as above Full Name of Inventor Signature James D. Tario Citizenship Residence 142 Elm Street, Apt. 205, San Mateo, CA 94401 United States of America Post Office Address same as above Full Name of Inventor Signature Date **Jianying Wang** Residence Citizenship 770 Crane Avenue, Foster City, CA 94404 **United States of America** Post Office Address same as above Date Full Name of Inventor Signature Matthewle Williams Matthew A. Williams 906 7th Avenue, San Mateo, CA 94402 United States of America Post Office Address same as above Full Name of Inventor Signature Date Lianhong Xu 640 Hobart Avenue, San Mateo, CA 94402 United States of America Post Office Address same as above Full Name of Inventor Signature Date Zheng-Yu Yang Residence Citizenship 888 Foster City, Blvd., Foster City, CA 94404 Peoples Republic of China Post Office Address same as above Full Name of Inventor Signature Date Richard H. Yu Residence Citizenship 2625 35th Avenue, San Francisco, CA 94116 United States of America Post Office Address same as above Full Name of Inventor Date Signature Jiancun Zhang Citizenship 5142 Masonic Avenue, Oakland, CA 94618 United States of America Post Office Address same as above Full Name of Inventor Signature Lijun Zhang Citizenship 4033 Middlefield Road, Palo Alto, California 94303 Peoples Republic of China Post Office Address

5 of 5

Z4-00

same as above

Docket No. 257.P2US

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT: My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

Entitled: Cellular Accumulation of Phosphonate Analogs of HIV Protease Inhibitor Compounds

the specification of which:

(check one) ____is attached hereto:
 ___X_was filed on ___October 14, 2004_ as

Application Serial No.____10/511,998

and was amended on_____;

(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Docket No. 257.P2US

- (b) Under this section, information is material to patentability when it is not umulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish an contrary conclusion of patentability."

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| 60/375,622 | _ filed _ | April 26, 2002 |
|------------|-----------|----------------|
| 60/375,779 | filed | April 26, 2002 |
| 60/375,834 | filed | April 26, 2002 |
| 60/375,665 | filed | April 26, 2002 |

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby appoint the following attorneys and agents to prosecute said application and to transact all business in the PateaTrademark Office connected therewith and to file, to prosecute and to transact all business in connection with all patent applications directed to said invention:

| to transact all business in connect | ion with all patent application | ons directed to said | invention: |
|--|--|--|---|
| | Bosse - Reg. No. 35,071 . Wong – Reg. No. 34,949 | | |
| Address all correspondence to: | GILEAD SCIENCES, INC 333 Lakeside Drive Foster City, California 94 | | |
| Address all telephone calls to: I hereby declare that all statement made on information and belief are with the knowledge that willful false imprisonment, or both, under Sect false statements may jeopardize th | s made herein of my own ke be believed to be true; and fi e statements and the like s ion 1001 of Title 18 of the t | nowledge are true urther that these sta o made are punisha United States Code | and that all statements atements were made able by fine or and that such willful |
| Full Name of First Inventor Murty N. Arimilli | Signature | | Date |
| Residence 701 Number Ten Way, Oak Ridge | , NC 27310 | Citizenship United St | ates of America |

Page 2 of 5

| Post Office Address | | | |
|---|---------------------|--------------|----------------------|
| same as above | | | |
| Full Name of Second Inventor | Signature | | Date |
| Mark M. Becker | Signature | | Date |
| | <u> </u> | | |
| Residence | 0.4005 | Citizenship | and a f A and a fine |
| 359 Montserrat Dr., Redwood City, Ca | A 94065 | United St | ates of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Third Inventor | Signature | | Date |
| Clifford Bryant | | | |
| Residence | | Citizenship | |
| 506 Richmond Drive, #4, Millbrae, CA | 94030 | | ates of America |
| 1 500 Michiniona Drive, #4, Millibrae, CA | 34030 | Officed St | ates of Afficilica |
| Post Office Address | | | Andrew Andrew |
| same as above | | | |
| Full Name of Fourth Inventor | Signature | | Date |
| James M. Chen | | | |
| Residence | <u> </u> | Citizenship | |
| 4015 Marblehead Dr., San Ramon, C. | A 94583 | | ates of America |
| | | | |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Fifth Inventor | Signature | | Date |
| Xiaowu Chen | | | |
| Residence . | | Citizenship | |
| 377 Laurie Meadows Drive, Apt. 319, | San Mateo, CA 94403 | United St | ates of America |
| Post Office Address | ···· | | |
| same as above | • | | |
| Full Name of Sixth Inventor | Signature | | Date |
| Azar Dastgah | | | |
| | <u> </u> | Lower | |
| Residence 1409 Via Vista, San Mateo, CA 9440 | 4 | Citizenship | ates of America |
| 1 1409 VIa VISIa, Sail IVIaleo, OA 9440 | " | J Ormed St | ales of America |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Seventh Inventor | Signature | | Date |
| Maria Fardis | | | |
| Residence | <u> </u> | Citizenship | |
| 105 Aberdeen Drive, San Carlos, CA | 94070 | United St | ates of America |
| | <u> </u> | l | |
| Post Office Address | | | |
| same as above Full Name of Eighth Inventor | Signature | | Date |
| Gong-Xin He | Signature | | Date |
| | <u> </u> | | |
| Residence | 04555 | Citizenship | Dominista of Object |
| 5436 Ontario Common, Fremont, CA | 94555 | Peoples I | Republic of China |
| Post Office Address | | 1 | |
| same as above | | | |
| Full Name of Ninth Inventor | Signature | * | Date |
| Haolun Jin | - | | · |
| Residence | | Citizenship | |
| 293 Billingsgate Lane, Foster City, CA | 94404 | Canadian | • |
| 200 Dimingogate Earlo, 1 ootor Oity, Or | (0-1-10-1 | Canadian | • |
| Post Office Address | | | |
| same as above | | | |
| Full Name of Tenth Inventor | Signature | | Date |
| Choung U. Kim | | | |
| Residence | L | Citizenship | <u></u> |
| 1750 Elizabeth St., San Carlos, CA 94 | 1070 | | ates of America |
| 33 Elizaboth Gt., Gail Gallos, GA 3- | | | also of ranonou |
| Post Office Address | | , | ***** |
| same as above | | | |
| | 3 of 5 | | |

è

| Full Name of Inventor | Signature | | Date |
|--|---------------------------------------|---------------------------------------|-------------------|
| William A. Lee | | | |
| | <u> </u> | Lowership | <u> </u> |
| Residence 749 Anderson Drive, Los Altos, CA 9 | 4024 | Citizenship United S | tates of America |
| Post Office Address | | <u> </u> | |
| same as above | | | I Date |
| Full Name of Inventor Christopher P. Lee | Signature | | Date |
| Residence | | Citizenship | |
| 65 Hermann St., #5, San Francisco, C | CA 94102 | United S | tates of America |
| Post Office Address | | <u> </u> | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Kuei-Ying Lin | | | |
| Residence | | Citizenship | |
| 4774 Canvasback Common, Fremont | , CA 94555 | United St | tates of America |
| Post Office Address | · · · · · · · · · · · · · · · · · · · | | |
| same as above | · · | | |
| Full Name of Inventor | Signature | | Date |
| Hongtao Liu | • | | |
| Residence | L | Citizenship | L |
| 10320 Orange Avenue, Cupertino, CA | 95014 | | Republic of China |
| | | | |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Richard L. Mackman | Signature | | Date |
| | <u> </u> | · · · · · · · · · · · · · · · · · · · | <u> </u> |
| Residence | 120 | Citizenship | inadom |
| 360 Ashton Avenue, Millbrae, CA 940 | 730 | United Ki | inguom |
| Post Office Address | | 1 | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Michael L. Mitchell | | | |
| Residence | | Citizenship | |
| 108 Crossing Court, Hayward, CA 94 | 544 | United St | tates of America |
| Post Office Address | | <u> </u> | |
| same as above | | | , |
| Full Name of Inventor | Signature | | Date |
| Peter H. Nelson | | | Í |
| Residence | <u> </u> | Citizenship | |
| 42 San Juan Court, Los Altos, CA 94 | 022 | United St | tates of America |
| Post Office Address | | <u> </u> | |
| same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Hyung-Jung Pyun | g | | |
| Residence | L | Citizenship | l |
| 35444 Woodbridge Place, Fremont, C | A 94536 | Korea | |
| 1 00444 Woodbridge Flace, Fremont, e | 7.104300 | 110104 | |
| Post Office Address | | | |
| same as above | <u></u> | | Y- <u></u> |
| Full Name of Inventor | Signature | | Date |
| Tanisha D. Rowe | • | | |
| Residence | | Citizenship | 1 |
| 2708 Mars Hill St., Modesto, CA 9535 | 55 | United St | ates of America |
| | | L | · |
| Post Office Address Same as above | | | |
| Same as above | 4 of 5 | | |
| <u> </u> | | · · · | - |
| | | | |

| Full Name of Inventor Mark Sparacino | Signature | | Date |
|---|-------------|--------------------------------------|-------------------|
| Residence 1450 Seville Drive, Morgan Hill, CA 95037 | | Citizenship United States of America | |
| Post Office Address same as above | | | |
| Full Name of Inventor Sundaramoorthi Swaminathan | Signature | | Date |
| Residence 2858 Hillside Drive, Burlingame, CA | 94010 | Citizenship India | |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | * | Date |
| James D. Tario | | | <u> </u> |
| Residence 142 Elm Street, Apt. 205, San Mateo | o, CA 94401 | Citizenship United St | ates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Jianying Wang | Signature . | | Date |
| Residence 770 Crane Avenue, Foster City, CA 9 | 94404 | Citizenship United St | tates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Matthew A. Williams | <u> </u> | | |
| Residence 906 7 th Avenue, San Mateo, CA 944 | 02 | Citizenship United St | tates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor | Signature | | Date |
| Lianhong Xu | | | |
| Residence 640 Hobart Avenue, San Mateo, CA 94402 Citizenship United States of America | | | tates of America |
| Post Office Address same as above | | | |
| Full Name of Inventor Zheng-Yu Yang | Signature | | Date |
| Residence 888 Foster City, Blvd., Foster City, C | A 94404 | Citizenship Peoples | Republic of China |
| Post Office Address | | | |
| Same as above Full Name of Inventor | Signature | | Date |
| Richard H. Yu | | | |
| Residence 2625 35 th Avenue, San Francisco, Ca | A 94116 | Citizenship United S | tates of America |
| Post Office Address same as above | · | | |
| Full Name of Inventor | Signature | | Date |
| Jiancun Zhang | - mondry | | 04-11-05 |
| | | Citizenship United S | tates of America |
| Post Office Address | | | |
| same as above Full Name of Inventor | Signature | | Date |
| Lijun Zhang | | | |
| | | Citizenship Peoples | Republic of China |
| Post Office Address | 5 of 5 | | |
| same as above 5 of 5 | | | |

28-00